

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

HENRY GORHAM, JR.,)	
Plaintiff,)	Civil Action No. 7:15cv00437
)	
v.)	
)	By: Elizabeth K. Dillon
EARL BARKSDALE, <i>et al.</i> ,)	United States District Judge
Defendants.)	

ORDER

In accordance with the memorandum opinion entered this day, it is hereby ORDERED as follows:

- 1) Defendants' motion for summary judgment (Docket No. 16) is GRANTED in part as to Gorham's claims for damages against the defendants in their official capacity and as to Gorham's claims against defendants Messer, Shortridge, and Barksdale; and the motion for summary judgment is DENIED in part as to Gorham's excessive force and living conditions claims against defendants O'Quinn and Lt. Gilbert.
- 2) The Clerk shall TERMINATE Messer, Shortridge, and Barksdale as defendants.
- 3) Defendants' motion for a protective order (Docket No. 28) is DENIED.
- 4) Gorham's motion to compel discovery (Docket No. 29) is GRANTED, and defendants shall have thirty days from the entry of this order to respond to Gorham's request for production of documents (Docket No. 24).
- 5) The Clerk is DIRECTED to set this matter for a jury trial in the Big Stone Gap Division.
- 6) The Clerk shall provide a copy of this order and the memorandum opinion to all counsel

of record and to Mr. Gorham, plaintiff.

Entered: September 23, 2016.

/s/ Elizabeth K. Dillon

Elizabeth K. Dillon
United States District Judge